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Richard A. Brown  
District Attorney

November 2, 2016

The Honorable Vera M. Scanlon  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
By Fax: (718) 613-2305

Re: *Roosevelt McCoy v. City of New York et al.*  
Index Number: 16-CV-1636(AMD)(VMS)

Dear Judge Scanlon:

I am an Assistant District Attorney, of counsel to the Honorable Richard A. Brown, District Attorney of Queens County.

A discovery conference had been rescheduled at my request, for today, November 2, 2016, at 11:00 a.m. to address any issues raised by Plaintiff's October 10, 2016, motion to unseal solely for the purposes of this litigation, only the grand jury minutes of Kevin Desormeau already in plaintiff's possession (Letter at 3, 8).

The District Attorney's Office has determined not to take a position on this matter. Corporation Counsel's Office has, likewise, in their November 1, 2016, letter, indicated that they will take no position. I would be happy to appear, nevertheless, but our appearance and that of the parties at 11:00 a.m. may no longer be necessary. I regret any inconvenience occasioned by my request to reschedule and our subsequent determination not to take a position. And have reached out by phone to the Court, Plaintiff and Corporation Counsel this morning to alert them concerning our change in position and its potential implications on the necessity of an 11:00 a.m. conference.

Very truly yours,

JOHN F. McGOLDRICK  
Assistant District Attorney  
(718) 286-7030

c.c. Gabriel Harvis, Esq., *counsel for plaintiff* (via ECF)  
Max O. McCann, *assistant corporation counsel* (via ECF)  
Amanda Papandrea, *senior assistant corporation counsel* (via ECF)  
James M. Moschella, Esq., *counsel for defendant Neve* (via ECF)  
John Arlia, Esq., *counsel for defendant Desormeau* (via ECF)